

Supreme Court of the
United States

October Term, 2004

HEARING LIST

For the Session Beginning
February 22, 2005

**THE JUSTICES AND THE JUDICIAL CIRCUITS
TO WHICH THEY ARE ASSIGNED**

HON. WILLIAM H. REHNQUIST, Chief Justice, Fourth,
District of Columbia and Federal Circuits.

HON. JOHN PAUL STEVENS, Associate Justice, Sixth
and Seventh Circuits.

HON. SANDRA DAY O'CONNOR, Associate Justice, Ninth
Circuit.

HON. ANTONIN SCALIA, Associate Justice, Fifth Circuit.

HON. ANTHONY M. KENNEDY, Associate Justice, Elev-
enth Circuit.

HON. DAVID H. SOUTER, Associate Justice, First and
Third Circuits.

HON. CLARENCE THOMAS, Associate Justice, Eighth
Circuit.

HON. RUTH BADER GINSBURG, Associate Justice, Sec-
ond Circuit.

HON. STEPHEN BREYER, Associate Justice, Tenth
Circuit.

OFFICERS OF THE COURT

WILLIAM K. SUTER, Clerk.

FRANK D. WAGNER, Reporter of Decisions.

PAMELA TALKIN, Marshal.

JUDITH A. GASKELL, Librarian.

NOTICE TO COUNSEL

1. The Clerk timely informs counsel as to the day counsel must be present for oral argument. The Court convenes at 10 a.m. and each case is usually heard on the date assigned.

2. Counsel scheduled to argue must report to the Lawyers' Lounge between 9:00 and 9:15 a.m. on the day assigned for argument. The Clerk will brief you at that time and provide assistance. Identification cards will be issued to the attorneys authorized to occupy seats at argument tables. Counsel arguing cases *should not* introduce themselves nor introduce co-counsel to the Court at the time of argument. Members of the Court should be addressed by their proper titles—"Chief Justice" or "Justice," as the case may be—and not as "judge."

3. Counsel are expected to take note of time limitations and inquiry should not be made of the Court as to the amount of time remaining. A white light will appear when five minutes remain and a red light when the time has expired. When the Court permits a division of time for argument, the use of more than the agreed time by one attorney does not extend the total time allotted. Counsel should conclude argument promptly when the red light appears unless responding to a question from the Court.

4. During argument counsel should at all times speak into the microphone so that the Justices may hear them and that a clear tape recording can be made. Counsel should also avoid having notes or books touch the microphone since this seriously interferes with the recording process.

5. Counsel in cases to be argued in the afternoon should assemble at the Clerk's desk in the Courtroom when the noon recess begins. An escort will arrange expedited service in the public cafeteria located in the Court building.

6. Appropriate attire for counsel is conservative business dress. If formal attire is worn, it should conform with custom.

WILLIAM K. SUTER, *Clerk.*

HEARING LIST

Monday, February 21, 2005

Legal Holiday.

Tuesday, February 22, 2005

No. 04–108. *Susette Kelo, et al. v. City of New London, Connecticut, et al.*

Certiorari to the Supreme Court of Connecticut.

For petitioners: Scott G. Bullock, Washington, D. C.

For respondents: Wesley W. Horton, Hartford, Conn.

(1 hour for argument.)

No. 04–163. *Linda Lingle, Governor of Hawaii, et al. v. Chevron U. S. A. Inc.*

Certiorari to the C. A. 9th Circuit.

For petitioners: Mark J. Bennett, Attorney General, Honolulu, Hawaii; and Edwin S. Kneedler, Deputy Solicitor General, Department of Justice, Washington, D. C. (for United States, as *amicus curiae*.)

For respondent: Craig E. Stewart, San Francisco, Cal.

(1 hour for argument.)

Wednesday, February 23, 2005

No. 03–1566. *Francis A. Orff, et al. v. United States, et al.*

Certiorari to the C. A. 9th Circuit.

For petitioners: William M. Smiland, Los Angeles, Cal.

For respondent United States: Jeffrey P. Minear, Assistant to the Solicitor General, Department of Justice, Washington, D. C.

For respondent Westlands Water District: Stuart L. Somach, Sacramento, Cal.

(1 hour for argument.)

No. 03–1696. *Exxon Mobil Corporation, Exxon Chemical Arabia, Inc., and Mobil Yanbu Petrochemical Company, Inc. v. Saudi Basic Industries Corporation.*

Certiorari to the C. A. 3rd Circuit.

For petitioners: Gregory S. Coleman, Austin, Tex.

For respondent: Gregory A. Castanias, Washington, D. C.

(1 hour for argument.)

Monday, February 28, 2005

No. 03–1388. *Douglas Spector, et al. v. Norwegian Cruise Line Ltd.*

Certiorari to the C. A. 5th Circuit.

For petitioners: Thomas C. Goldstein, Washington, D. C.; and David B. Salmons, Assistant to the Solicitor General, Department of Justice, Washington, D. C. (for United States, as *amicus curiae*.)

For respondent: David C. Frederick, Washington, D. C.; and Gregory G. Garre, Washington, D. C. (for The Bahamas, as *amici curiae*.)

(1 hour for argument.)

No. 03–9627. *John A. Pace v. David DiGuglielmo, Superintendent, State Correctional Institution at Graterford, et al.*

Certiorari to the C. A. 3rd Circuit.

For petitioner: David Wycoff, Assistant Federal Defender, Philadelphia, Pa.

For respondents: Ronald Eisenberg, Deputy District Attorney, Philadelphia, Pa.

(1 hour for argument.)

Tuesday, March 1, 2005

No. 04–70. *Exxon Mobil Corporation v. Allapattah Services, Inc., et al.*; and

No. 04–79. *Maria del Rosario Ortega v. Star-Kist Foods, Inc.*

Certiorari to the C. A. 11th Circuit; certiorari to the C. A. 1st Circuit.

For petitioner in 04–70: Carter G. Phillips, Washington, D. C.

For respondent in 04–79: Robert A. Long, Jr., Washington, D. C.

For respondents in 04–70: Eugene E. Stearns, Miami, Fla.

For petitioner in 04–79: Donald B. Ayer, Washington, D. C.

(Consolidated—90 minutes for argument.)

No. 04–5293. *Carman L. Deck v. Missouri.*

Certiorari to the Supreme Court of Missouri.

For petitioner: Rosemary E. Percival, Assistant Public Defender, Kansas City, Mo.

For respondent: Cheryl C. Nield, Assistant Attorney General, Jefferson City, Mo.

(1 hour for argument.)

Wednesday, March 2, 2005

No. 03–1500. *Thomas Van Orden v. Rick Perry, In His Official Capacity as Governor of Texas and Chairman, State Preservation Board, et al.*

Certiorari to the C. A. 5th Circuit.

For petitioner: Erwin Chemerinsky, Durham, N. C.

For respondents: Greg Abbott, Attorney General, Austin, Tex.; and Paul D. Clement, Acting Solicitor General, Department of Justice, Washington, D. C. (for United States, as *amicus curiae*.)

(1 hour for argument.)

No. 03–1693. *McCreary County, Kentucky, et al. v. American Civil Liberties Union of Kentucky, et al.*

Certiorari to the C. A. 6th Circuit.

For petitioners: Mathew D. Staver, Longwood, Fla.; and Paul D. Clement, Acting Solicitor General, Department of Justice, Washington, D. C. (for United States, as *amicus curiae*.)

For respondents: David A. Friedman, Louisville, Ky.

(1 hour for argument.)
